

REMARKS

The claims are amended herein to correct typographical errors and for consistency with U.S. patent practice. Upon entry of the amendment, claims 1-56, 58-77 and 79-97 will be all of the claims pending in the application.

I. Claim Objections

On page 2 of the Action, claims 1, 2, 25, 26, 28, 58, 79 and 83 are objected to because of the following informalities:

- in claims 1 and 2, "naphthyloxy" should be "Naphthyloxy";
- in claims 2, 25, 58, 79, the period after compound (xxi) should be deleted;
- in claims 24 and 56, "Wherein" should be "wherein";
- in claims 26 and 28, "Hexamethylphosphoric" should be "hexamethylphosphoric";
- in claim 58, the backslash, "\", at the end of the claim should be replaced by a period;
- in claim 83, the dash in the term "-oral" should be deleted.

The above-noted claims are amended herein to correct the identified errors, thereby obviating the objection. Claims 1 and 2 are amended by adding the word "An" and "The", respectively, at the beginning of the claim and therefore is it not necessary to replace "naphthyloxy" with "Naphthyloxy".

Accordingly, Applicants respectfully request withdrawal of the objections.

II. Claim Rejection – 35 U.S.C. § 112, 1st Paragraph

Claims 3, 56, 58-77 and 79-97 are rejected under 35 U.S.C. § 112, 1st paragraph. The Examiner concedes that the specification is enabling for treatment of cardiovascular disorders and hyperglycemia (diabetes) and compounds and pharmaceutical compositions for such use, but asserts that the specification is not enabling for the “prevention” of hyperglycemia and compounds and pharmaceutical compositions for the prevention of hyperglycemia. The Examiner states that the rejection can be overcome by deleting “prevention” from the claims.

The claims are amended herein by deleting “prevention”, thereby obviating the rejection. Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Claim Rejection – 35 U.S.C. §102

Claims 56, 59-77 and 80-97 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Albright et al. The Examiner indicates that the rejection can be overcome by deleting “substituted phenyl” from the definition of R₃ and R₄.

The claims have been amended herein by deleting “substituted phenyl” from the definition of R₃ and R₄. Albright et al does not disclose, teach or suggest compounds within the scope of the amended claims. Therefore, Albright et al does not anticipate the presently claimed invention.

Accordingly, Applicants respectfully request withdrawal of the rejection.

IV. Allowable Subject Matter

Claims 4-23, 58 and 79 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the elements of the base claim and any intervening claims.

Claims 24, 27 and 29-55 are allowed.

Claims 4-23 depend from claim 1, which is not rejected in the Office Action. Claim 1 is objected to as containing a minor informality, which is corrected by the amendment to claim 1 herein. Therefore, claims 1 and 4-23 are free of the prior art and should be allowed.

Claims 56 and 77 are amended herein by deleting "prevention", thereby obviating the rejection under 35 U.S.C. § 112, 1st paragraph. Claims 56 and 77 are further amended by deleting "substituted phenyl" from the definition of R₃ and R₄, thereby obviating the rejection under 35 U.S.C. § 102. Thus, claims 56 and 77 are allowable and dependent claims 58-76, and claims 79-97, which depend from claims 56 and 77, respectively, are distinguished over the art for at least the same reasons. Therefore, claims 58-76 and 79-97 are allowable as presently written.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/693,098

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

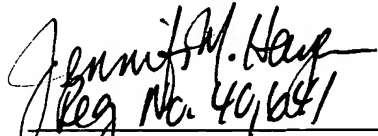
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